

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	Case No. 8:04CR245
	)	
Plaintiff,	)	
	)	
v.	)	ORDER
	)	
MARIO D. ALFORD,	)	
	)	
Defendant.	)	

Pursuant to the Opinion of the Eighth Circuit Court of Appeals (Filing No. 37) vacating and remanding this case to the district court for resentencing pursuant to *United States v. Booker*, 125 S. Ct. 738 (2005),

IT IS ORDERED:

1. That resentencing of the defendant is scheduled before the undersigned on **May 12, 2005, at 3:30 p.m.**, Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The defendant must be present for this hearing.
2. **The defendant waives his presence at the hearing and instead will participate telephonically.**

DATED this 28th day of April, 2005.

BY THE COURT:

**s/ Joseph F. Bataillon**  
United States District Judge